

AMENDED IN ASSEMBLY MARCH 29, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 4

Introduced by Assembly Member Miller

December 6, 2010

An act to amend Sections 9615, 9740, 9741, 9741.1, 9742, 9743, 9744.5, 9745, 9748, 9749, and 9749.3 of, to add Sections 9605.3, 9607.7, and 9764.4 to, and to add Article 9 (commencing with Section 9789.1) to Chapter 19 of Division 3 of, the Business and Professions Code, and to amend Sections 7003, 7010.3, 7010.7, 7011, 7011.2, 7015, 7016, 7051, 7051.5, 7052, 7052.5, 7054, 7054.1, 7054.6, 7054.7, 7055, 7116, and 7117 of, to add Sections 7002.5, 7006.1, 7006.4, 7006.6, 7006.8, 7010.1, and 7054.8 to, and to add Article 8 (commencing with ~~8370~~) ~~to Section 8370~~) to Chapter 2 of Part 3 of Division 8 of, the Health and Safety Code, relating to human remains.

LEGISLATIVE COUNSEL'S DIGEST

AB 4, as amended, Miller. Human remains: hydrolysis.

Under existing law, the Cemetery and Funeral Bureau licenses and regulates crematoria and various professions relating to the disposition of human remains. Violation of these provisions is a misdemeanor.

This bill would require the bureau to license and regulate, as specified, hydrolysis facilities and hydrolysis facility managers, as defined, and would enact requirements substantially similar to those applicable to crematoria. By expanding the definition of crimes relating to the disposition of human remains and creating new crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9605.3 is added to the Business and
2 Professions Code, to read:

3 9605.3. A licensed hydrolysis facility manager is a person who
4 is engaged in, is conducting, or is holding himself or herself out
5 as engaged in, activities involved in or incidental to the
6 maintenance or operation of a hydrolysis facility licensed pursuant
7 to this chapter and the hydrolysis of human remains.

8 SEC. 2. Section 9607.7 is added to the Business and Professions
9 Code, to read:

10 9607.7. "Licensed hydrolysis facility" means a corporation,
11 partnership, or natural person licensed pursuant to Article 8
12 (commencing with Section ~~9780~~ 9789.1). A licensed hydrolysis
13 facility shall be considered a ~~cemetery~~ cemetery licensee for
14 purposes of disciplinary action pursuant to Article 6 (commencing
15 with Section 9725).

16 SEC. 3. Section 9615 of the Business and Professions Code is
17 amended to read:

18 9615. (a) (1) ~~Any~~ A person who holds or has held, or was
19 named on, ~~any~~ a license or registration under the jurisdiction of
20 the bureau that has been, within the immediately preceding 10
21 years, revoked, suspended, placed on probation, or surrendered
22 under a stipulated decision, and who is employed by, or who seeks
23 employment with, a licensed cemetery, a licensed crematory, a
24 licensed hydrolysis facility, or a licensed cemetery broker in any
25 capacity, shall inform the licensed cemetery manager, the licensed
26 crematory manager, the licensed hydrolysis facility manager, or
27 the licensed cemetery broker of that revocation, suspension,
28 probation, or surrender.

29 (2) A person subject to this subdivision shall inform the licensed
30 cemetery manager, the licensed crematory manager, the licensed

1 hydrolysis facility manager, or the licensed cemetery broker upon
2 application for employment by completing a form that shall be
3 made available by the bureau.

4 (b) The cemetery manager, crematory manager, licensed
5 hydrolysis facility manager, or cemetery broker who is informed
6 pursuant to subdivision (a) shall notify the bureau by submitting
7 the form within 30 days of being so informed. Failure of the
8 cemetery manager, crematory manager, licensed hydrolysis facility
9 manager, or cemetery broker to notify the bureau shall be a cause
10 for a warning. A cemetery manager, crematory manager, licensed
11 hydrolysis facility manager, or cemetery broker shall not be subject
12 to a warning if his or her failure to notify the bureau is due to a
13 false statement made by an employee.

14 (c) ~~Any~~ A person required to notify the cemetery manager,
15 crematory manager, licensed hydrolysis facility manager, or
16 cemetery broker under subdivision (a) who fails to do so or who
17 makes a false statement on the required form shall be subject to
18 disciplinary action if that person is a licensee of the bureau, or that
19 failure or false statement shall be cause for denial of a license
20 under Section 480.

21 (d) For purposes of subdivision (a), the term “named on” applies
22 to a person who was an owner, partner, or corporate officer of an
23 entity that was licensed or registered under the act at the time that
24 entity’s license or registration under the act was revoked,
25 suspended, placed on probation, or surrendered.

26 SEC. 4. Section 9764.4 is added to the Business and Professions
27 Code, to read:

28 9764.4. (a) The fee to take the examination or reexamination
29 to become a licensed hydrolysis facility manager may not exceed
30 five hundred dollars (\$500).

31 (b) The fee to obtain a license as a hydrolysis facility manager
32 may not exceed one hundred dollars (\$100).

33 (c) The renewal fee for a hydrolysis facility manager license
34 may not exceed one hundred dollars (\$100).

35 SEC. 5. Section 9740 of the Business and Professions Code is
36 amended to read:

37 9740. No person shall dispose of or offer to dispose of any
38 cremated or hydrolyzed human remains unless registered as a
39 cremated or hydrolyzed remains disposer by the bureau. This article
40 shall not apply to any person, partnership, or corporation holding

1 a certificate of authority as a cemetery, crematory license,
2 hydrolysis facility license, cemetery broker's license, cemetery
3 salesperson's license, or funeral director's license, nor shall this
4 article apply to any person having the right to control the
5 disposition of the cremated remains or hydrolyzed remains of any
6 person or that person's designee if the person does not dispose of
7 or offer to dispose of more than 10 cremated human remains or
8 hydrolyzed human remains within any calendar year.

9 SEC. 6. Section 9741 of the Business and Professions Code is
10 amended to read:

11 9741. (a) Registration shall be on the form prescribed by the
12 bureau and shall include, but not be limited to, the full name of
13 the registrant, business and residence addresses, description and
14 identification of aircraft or boats which may be used in dispensing
15 cremated human remains or hydrolyzed remains, and the area to
16 be served. Each registration application shall be accompanied by
17 the cremated remains disposer fee.

18 (b) Every registered cremated remains disposer who dispenses
19 human remains by air shall post a copy of his or her current pilot's
20 license, and the address of the cremated remains or hydrolyzed
21 remains storage area at his or her place of business. Every
22 registered cremated remains disposer who dispenses cremated
23 remains or hydrolyzed remains by boat shall post a copy of his or
24 her current boating license and the address of the cremated remains
25 or hydrolyzed remains storage area at his or her place of business.

26 SEC. 7. Section 9741.1 of the Business and Professions Code
27 is amended to read:

28 9741.1. The bureau shall prepare and deliver to each registered
29 cremated remains disposer a booklet that includes, but is not limited
30 to, the following information: details about the registration and
31 renewal requirements for cremated remains disposers; requirements
32 for obtaining state permits to dispose of cremated human remains
33 or hydrolyzed remains; state storage requirements, if any; statutory
34 duties pursuant to this article, and other applicable state laws.

35 SEC. 8. Section 9742 of the Business and Professions Code is
36 amended to read:

37 9742. All aircraft used for the scattering of cremated human
38 remains or hydrolyzed remains shall be validly certified by the
39 Federal Aviation Administration. All boats or vessels used for the
40 scattering of cremated human remains or hydrolyzed remains shall

1 be registered with the Department of Motor Vehicles or
2 documented by a federal agency, as appropriate. The certification
3 or registration shall be available for inspection by the bureau.

4 SEC. 9. Section 9743 of the Business and Professions Code is
5 amended to read:

6 9743. A cremated remains disposer who scatters any cremated
7 human remains or hydrolyzed remains without specific written
8 instructions from the person having the right to control the
9 disposition of the remains or who scatters any remains in a manner
10 not in accordance with those instructions shall be subject to
11 disciplinary action.

12 SEC. 10. Section 9744.5 of the Business and Professions Code
13 is amended to read:

14 9744.5. (a) Every cremated remains disposer shall do both of
15 the following:

16 (1) Dispose of cremated remains or hydrolyzed remains within
17 60 days of the receipt of those remains, unless a written signed
18 reason for a delay is presented to the person with the right to
19 control the disposition of the remains under Section 7100 of the
20 Health and Safety Code.

21 (2) Provide the bureau with the address and phone number of
22 any storage facility being used by the registrant to store cremated
23 remains or hydrolyzed remains. Cremated remains and hydrolyzed
24 remains shall be stored in a place free from exposure to the
25 elements, and shall be responsibly maintained until disposal. The
26 bureau and its representatives shall conduct, on an annual basis,
27 random inspections of the operations of 5 to 10 percent of the
28 registered cremated remains disposers, and is authorized to inspect
29 any place used by a cremated remains disposer for the storage of
30 cremated remains or hydrolyzed remains without notice to the
31 cremated remains disposer.

32 (b) A violation of the requirements of this section is grounds
33 for disciplinary action.

34 SEC. 11. Section 9745 of the Business and Professions Code
35 is amended to read:

36 9745. (a) Each cremated remains disposer shall file, and
37 thereafter maintain an updated copy of, an annual report on a form
38 prescribed by the bureau. The report shall include, but not be
39 limited to, the names of the deceased persons whose cremated
40 remains or hydrolyzed remains were disposed of, the dates of

1 receipt of the cremated remains or hydrolyzed remains, the names
2 and addresses of the persons who authorized disposal of those
3 remains, the dates and locations of disposal of those remains, and
4 the means and manner of disposition. The report shall cover the
5 fiscal year ending on June 30th and shall be filed with the bureau
6 no later than September 30th of each year.

7 (b) A cremated remains disposer that makes a willful and
8 material false statement regarding the disposal of cremated remains
9 or hydrolyzed remains in the annual report filed or updated
10 pursuant to subdivision (a) shall be subject to disciplinary action.

11 (c) Any cremated remains disposer that makes a willful and
12 material false statement in the annual report filed or updated
13 pursuant to subdivision (a) shall be guilty of a misdemeanor.

14 SEC. 12. Section 9748 of the Business and Professions Code
15 is amended to read:

16 9748. Any person who scatters cremated human remains or
17 hydrolyzed remains without a valid registration and who is not
18 otherwise exempt from this article shall be guilty of a
19 misdemeanor. The remains of each person scattered shall constitute
20 a separate violation.

21 SEC. 13. Section 9749 of the Business and Professions Code
22 is amended to read:

23 9749. Any person who scatters any cremated human remains
24 or hydrolyzed remains without specific written instructions from
25 the person having the right to control the disposition of the remains
26 or who scatters any remains in a manner not in accordance with
27 those instructions shall be guilty of a misdemeanor.

28 SEC. 14. Section 9749.3 of the Business and Professions Code
29 is amended to read:

30 9749.3. A cremated remains disposer who stores cremated
31 remains or hydrolyzed remains in a reckless manner that results
32 in either of the following is guilty of a public offense punishable
33 by imprisonment in a county jail not exceeding one year or by a
34 fine not to exceed five thousand dollars (\$5,000), or by both that
35 fine and imprisonment:

36 (a) Loss of all or part of the cremated remains or hydrolyzed
37 remains.

38 (b) Inability to individually identify the cremated remains or
39 hydrolyzed remains.

1 SEC. 15. Article 9 (commencing with Section 9789.1) is added
2 to Chapter 19 of Division 3 of the Business and Professions Code,
3 to read:

4
5 Article 9. Hydrolysis
6

7 9789.1. A hydrolysis facility may be operated, established, or
8 maintained by a corporation, partnership, or natural person,
9 provided that a valid hydrolysis facility license has been issued by
10 the bureau.

11 9789.2. A change in the ownership of a hydrolysis facility shall
12 be reported to the bureau. A transfer in a single transaction or a
13 related series of transactions of more than 50 percent of the
14 equitable interest in a licensed hydrolysis facility shall constitute
15 a change of ownership. When a change of ownership in a
16 hydrolysis facility occurs, the existing hydrolysis facility license
17 shall lapse and the new owner shall obtain a new license from the
18 bureau as otherwise provided in this act. The bureau shall not
19 require an applicant under this section to obtain any new permit
20 or license from any other governmental agency when the existing
21 permit or license is valid.

22 9789.3. The application for a hydrolysis facility license shall
23 be made in writing on the form prescribed by the bureau and filed
24 at the principal office of the bureau. The application shall be
25 accompanied by the fees required by this article and shall show
26 that the applicant owns or is actively operating a hydrolysis facility
27 in this state or that the applicant is in a position to commence
28 operating the hydrolysis facility.

29 9789.4. (a) The bureau shall require the applicant to prove
30 compliance with all applicable laws, rules, regulations, ordinances,
31 and orders, and shall not issue a hydrolysis facility license until
32 the bureau is satisfied that the public interest, human health, and
33 environmental quality will be served by the applicant.

34 (b) The applicant must obtain all relevant permits from local
35 and state agencies to demonstrate compliance with hazardous
36 waste, water quality, and drinking water standards, including, but
37 not limited to, Chapter 6.5 (commencing with Section 25200) of
38 Division 20 of the Health and Safety Code, in particular Section
39 25200 et seq., Title 22 of the California Code of Regulations, and
40 the Porter-Cologne Water Quality Act (Division 7 (commencing

1 with Section 13000) of the Water Code). The applicant shall be
2 inspected annually by the Certified Unified Program Agencies to
3 ensure compliance with the appropriate environmental standards.

4 9789.5. (a) The bureau shall adopt, and may from time to time
5 amend, rules and regulations prescribing standards of knowledge,
6 experience, and financial responsibility for applicants for a
7 hydrolysis facility license. In reviewing an application for a
8 hydrolysis facility license, the bureau may consider acts of the
9 applicant, including acts of incorporators, officers, directors, and
10 stockholders, which shall constitute grounds for the denial of a
11 hydrolysis facility license pursuant to Division 1.5 (commencing
12 with Section 475).

13 (b) Upon receipt of an application for a hydrolysis facility
14 license, the bureau may investigate, or cause an investigation to
15 be made of, the physical status, plans, specifications, and financing
16 of the proposed hydrolysis facility, the character of the applicant,
17 including, if applicable, its officers, directors, shareholders, or
18 members, and any other qualifications required of the applicant
19 under this article, and for this purpose may subpoena witnesses,
20 administer oaths, and take testimony.

21 (c) At the time of the filing of the application required by this
22 article, the applicant shall pay to the Cemetery Fund the sum fixed
23 by the bureau at not in excess of four hundred dollars (\$400) to
24 defray the expenses of investigation. In the event the sum shall be
25 insufficient to defray all of the expenses, the applicant shall, within
26 five days after the bureau makes a request, deposit an additional
27 sum sufficient to defray the department's expenses, provided that
28 the total sum shall not exceed nine hundred dollars (\$900).

29 9789.6. No hydrolysis facility licensed pursuant to this article
30 shall conduct hydrolysis unless all of the following requirements
31 are met:

32 (a) The licensee has a written contract with the person or persons
33 entitled to custody of the remains clearly stating the location,
34 manner, and time of disposition of the remains, agreeing to pay
35 the regular fees of the licensee for hydrolysis, disposition, and
36 other services rendered, and any other contractual provisions
37 required by the bureau.

38 (b) Hydrolysis of remains shall occur not more than 24 hours
39 after delivery of the remains unless the remains have been
40 preserved in the interim by refrigeration or embalming.

1 (c) The licensee has a contractual relationship with a licensed
2 cemetery authority for final disposition of hydrolyzed remains by
3 burial, entombment, or inurnment of any and all remains which
4 are not lawfully disposed of or which are not called for or accepted
5 by the person or persons entitled to the custody and control of the
6 disposition of those remains within 90 days of the date of death.

7 9789.7. A hydrolysis facility licensee, that prohibits relatives
8 or the responsible party from viewing the hydrolysis process, shall
9 disclose this fact in writing to the person or persons entitled to
10 custody of the remains prior to the signing of any contract.

11 9789.8. A hydrolysis facility licensee shall keep records and
12 relevant permits as required by the bureau to ensure compliance
13 with all laws relating to the disposition of hydrolyzed remains and
14 shall file annually with the bureau a report, in the form prescribed
15 by the bureau, describing the operations of the licensee, including
16 the number of hydrolyses performed, the disposition of remains
17 from each hydrolysis performed, and other information as required
18 by the bureau.

19 9789.9. A hydrolysis facility licensee operating a hydrolysis
20 facility licensed pursuant to this article shall pay an annual
21 regulatory charge for each hydrolysis facility, to be fixed by the
22 bureau at not more than four hundred dollars (\$400). In addition
23 to an annual regulatory charge for each hydrolysis facility, every
24 licensee operating a hydrolysis facility licensed pursuant to this
25 article shall pay an additional charge to be fixed by the bureau at
26 not more than eight dollars and fifty cents (\$8.50) per hydrolysis
27 that occurred during the preceding quarter, which charges shall be
28 deposited in the Cemetery Fund.

29 9789.10. (a) Each hydrolysis facility for which a license is
30 required shall be operated under the supervision of a manager
31 qualified as such in accordance with rules adopted by the bureau.
32 Each manager shall be required to successfully pass a written
33 examination evidencing an understanding of the applicable
34 provisions of this code and Division 7 (commencing with Section
35 7000) and Division 8 (commencing with Section 8100) of the
36 Health and Safety Code.

37 (b) No person shall engage in the business of, act in the capacity
38 of, or advertise or assume to act as, a hydrolysis facility manager
39 without first obtaining a license from the bureau.

1 9789.11. (a) A hydrolysis facility shall at all times employ a
2 licensed hydrolysis facility manager to manage, supervise, and
3 direct its operations.

4 (b) A hydrolysis facility owner shall designate a licensed
5 hydrolysis facility manager to manage the hydrolysis facility and
6 shall report the designation, including a change in the designation
7 of a manager, to the bureau within 10 days of the effective date of
8 designation.

9 (c) The designated hydrolysis facility manager shall be
10 responsible for exercising the direct supervision and control over
11 the operations, employees, and agents of the hydrolysis facility as
12 is necessary to ensure full compliance with the applicable
13 provisions of this code, the Health and Safety Code, and any
14 regulations adopted pursuant thereto. Failure of the designated
15 hydrolysis facility manager or the licensed hydrolysis facility to
16 exercise that supervision or control shall constitute a ground for
17 disciplinary action.

18 (d) A hydrolysis facility may employ, in addition to the
19 designated hydrolysis facility manager, additional licensed
20 hydrolysis facility managers. However, only one licensed
21 hydrolysis facility manager may be appointed as the designated
22 hydrolysis facility manager of the hydrolysis facility.

23 9789.12. (a) The application for a hydrolysis facility manager
24 license shall be made in writing on the form provided by the
25 bureau, verified by the applicant, and filed at the principal office
26 of the bureau. The application shall be accompanied by the fee
27 fixed by this chapter.

28 (b) An applicant for a hydrolysis facility manager license shall
29 be at least 18 years of age, possess a high school diploma or its
30 equivalent, shall not have committed acts or crimes constituting
31 grounds for denial of licensure under Section 480, shall
32 demonstrate compliance with the training and experience
33 requirements established by the bureau, and shall be a resident of
34 this state.

35 (c) The bureau shall grant a hydrolysis facility manager license
36 to any applicant who meets the requirements of this chapter and
37 who has successfully passed the hydrolysis facility manager
38 examination administered by the bureau.

39 9789.13. (a) No person shall engage in or conduct, or hold
40 himself or herself out as engaging in or conducting, the activities

1 of a hydrolysis facility manager without holding a valid, unexpired
2 hydrolysis facility manager license issued by the bureau.

3 (b) No licensed hydrolysis facility manager shall engage in or
4 conduct, or hold himself or herself out as engaging in or
5 conducting, the activities of a hydrolysis facility manager without
6 being employed by, or without being a sole proprietor, partner, or
7 corporate officer of, a licensed hydrolysis facility.

8 9789.14. It is a misdemeanor for any person, firm, or
9 corporation to hydrolyze human remains, or to engage in the
10 disposition of those remains, without a valid, unexpired hydrolysis
11 facility license. Each hydrolysis carried out in violation of this
12 section shall be a separate violation.

13 9789.15. A hydrolysis facility licensee shall be subject to and
14 shall be disciplined by the bureau in accordance with Article 6
15 (commencing with Section 9725).

16 SEC. 16. Section 7002.5 is added to the Health and Safety
17 Code, to read:

18 7002.5. "Hydrolyzed remains" means bone fragments of a
19 human body that are left after hydrolysis in a hydrolysis facility.
20 "Hydrolyzed remains" does not include foreign materials,
21 pacemakers, or prostheses.

22 SEC. 17. Section 7003 of the Health and Safety Code is
23 amended to read:

24 7003. "Cemetery" means either of the following:

25 (a) Any of the following that is used or intended to be used and
26 dedicated for cemetery purposes:

- 27 (1) A burial park, for earth interments.
28 (2) A mausoleum, for crypt or vault interments.
29 (3) A crematory and columbarium, for interment of cremated
30 remains or hydrolyzed remains.

31 (b) A place where six or more human bodies are buried.

32 SEC. 18. Section 7006.1 is added to the Health and Safety
33 Code, to read:

34 7006.1. "Hydrolysis facility" means a building or structure
35 containing one or more vessels for the reduction of bodies of
36 deceased persons by alkaline hydrolysis.

37 SEC. 19. Section 7006.4 is added to the Health and Safety
38 Code, to read:

39 7006.4. "Hydrolysis vessel" means the enclosed space within
40 which the hydrolysis of human remains is performed. Allowable

1 hydrolysis vessels for the disposition of human remains shall ~~be~~
2 ~~approved and listed by the Cemetery and Funeral Bureau; meet or~~
3 ~~exceed State Department of Public Health and federal Centers for~~
4 ~~Disease Control and Prevention requirements for complete~~
5 ~~destruction of human pathogens.~~

6 SEC. 20. Section 7006.6 is added to the Health and Safety
7 Code, to read:

8 7006.6. "Hydrolysis container" means a hydrolyzable closed
9 container resistant to leakage of bodily fluids into which the body
10 of a deceased person is placed prior to insertion in a hydrolysis
11 vessel for alkaline hydrolysis.

12 SEC. 21. Section 7006.8 is added to the Health and Safety
13 Code, to read:

14 7006.8. "Hydrolyzed remains container" means a receptacle
15 in which hydrolyzed remains are placed after hydrolysis.

16 SEC. 22. Section 7010.1 is added to the Health and Safety
17 Code, to read:

18 7010.1. "Hydrolysis" means the process by which the following
19 three steps are taken:

20 (a) The reduction of the body of a deceased person to its
21 essential chemical components by alkaline hydrolysis. Alkaline
22 hydrolysis is a chemical process using heat, high pressure, water,
23 and potassium hydroxide, ~~or as approved by the Cemetery and~~
24 ~~Funeral Bureau and the appropriate environmental agency, an~~
25 ~~alternate alkaline solution,~~ to dissolve human tissue within a
26 hydrolysis container.

27 (b) Wherever possible, the least amount of potassium hydroxide
28 that is still effective for complete dissolution of the remains shall
29 be used within the hydrolysis container, to minimize the
30 downstream environmental impact of the effluent and to maximize
31 worker safety.

32 (c) The processing of the remains after removal from the
33 hydrolysis chamber pursuant to Section 7010.3.

34 SEC. 23. Section 7010.3 of the Health and Safety Code is
35 amended to read:

36 7010.3. "Processing" means the removal of foreign objects,
37 pursuant to Section 7051, and the reduction of the particle size of
38 cremated remains or hydrolyzed remains by mechanical means
39 including, but not limited to, grinding, crushing, and pulverizing
40 to a consistency appropriate for disposition.

1 SEC. 24. Section 7010.7 of the Health and Safety Code is
2 amended to read:

3 7010.7. "Scattering" means the authorized dispersal of cremated
4 remains or hydrolyzed remains at sea, in other areas of the state,
5 or commingling in a defined area within a dedicated cemetery, in
6 accordance with this part.

7 SEC. 25. Section 7011 of the Health and Safety Code is
8 amended to read:

9 7011. "Inurnment" means placing cremated remains or
10 hydrolyzed remains in a cremated remains container or hydrolyzed
11 remains container suitable for placement, burial, or shipment.

12 SEC. 26. Section 7011.2 of the Health and Safety Code is
13 amended to read:

14 7011.2. "Placement" means the placing of a container holding
15 cremated remains or hydrolyzed remains in a crypt, vault, or niche.

16 SEC. 27. Section 7015 of the Health and Safety Code is
17 amended to read:

18 7015. "Crypt" or "vault" means a space in a mausoleum of
19 sufficient size, used or intended to be used, to entomb human
20 remains that have been neither cremated nor hydrolyzed.

21 SEC. 28. Section 7016 of the Health and Safety Code is
22 amended to read:

23 7016. "Niche" means a space in a columbarium used, or
24 intended to be used, for the placement of cremated remains or
25 hydrolyzed remains.

26 SEC. 29. Section 7051 of the Health and Safety Code is
27 amended to read:

28 7051. Every person who removes any part of any human
29 remains from any place where it has been interred, or from any
30 place where it is deposited while awaiting interment, cremation,
31 or hydrolysis with intent to sell it or to dissect it, without authority
32 of law, or written permission of the person or persons having the
33 right to control the remains under Section 7100, or with malice or
34 wantonness, has committed a public offense that is punishable by
35 imprisonment in the state prison.

36 This section shall not prohibit the removal of foreign materials,
37 pacemakers, or prostheses from cremated remains or hydrolyzed
38 remains by an employee of a licensed crematory or licensed
39 hydrolysis facility prior to final processing of ~~ashes~~ *remains*. Dental
40 gold or silver, jewelry, or mementos, to the extent that they can

1 be identified, may be removed by the employee prior to final
2 processing if the equipment is such that it will not process these
3 materials. However, any dental gold and silver, jewelry, or
4 mementos that are removed shall be returned to the urn or cremated
5 remains container or hydrolyzed remains container, unless
6 otherwise directed by the person or persons having the right to
7 control the disposition.

8 SEC. 30. Section 7051.5 of the Health and Safety Code is
9 amended to read:

10 7051.5. Every person who removes or possesses dental gold
11 or silver, jewelry, or mementos from any human remains without
12 specific written permission of the person or persons having the
13 right to control those remains under Section 7100 is punishable
14 by imprisonment in the state prison. The fact that residue and any
15 unavoidable dental gold or dental silver, or other precious metals
16 remain in the cremation chamber, hydrolysis-chamber vessel, or
17 other equipment or any container used in a prior cremation of
18 hydrolysis is not a violation of this section.

19 SEC. 31. Section 7052 of the Health and Safety Code is
20 amended to read:

21 7052. (a) Every person who willfully mutilates, disinters,
22 removes from the place of interment, or commits an act of sexual
23 penetration on, or has sexual contact with, any remains known to
24 be human, without authority of law, is guilty of a felony. This
25 section does not apply to any person who, under authority of law,
26 removes the remains for reinterment, or performs a cremation or
27 hydrolysis.

28 (b) For purposes of this section, the following definitions apply:

29 (1) "Sexual penetration" means the unlawful penetration of the
30 vagina or anus, however slight, by any part of a person's body or
31 other object, or any act of sexual contact between the sex organs
32 of a person and the mouth or anus of a dead body, or any oral
33 copulation of a dead human body for the purpose of sexual arousal,
34 gratification, or abuse.

35 (2) "Sexual contact" means any willful touching by a person of
36 an intimate part of a dead human body for the purpose of sexual
37 arousal, gratification, or abuse.

38 SEC. 32. Section 7052.5 of the Health and Safety Code is
39 amended to read:

1 7052.5. Notwithstanding the provisions of Section 7052,
2 cremated remains or hydrolyzed remains may be removed from
3 the place of interment for disposition as provided in Section 7054.6
4 or for burial at sea as provided in Section 7117.

5 SEC. 33. Section 7054 of the Health and Safety Code is
6 amended to read:

7 7054. (a) (1) Except as authorized pursuant to the sections
8 referred to in subdivision (b), every person who deposits or
9 disposes of any human remains in any place, except in a cemetery,
10 is guilty of a misdemeanor.

11 (2) Every licensee or registrant pursuant to Chapter 12
12 (commencing with Section 7600) or Chapter 19 (commencing with
13 Section 9600) of Division 3 of the Business and Professions Code
14 and the agents and employees of the licensee or registrant, or any
15 unlicensed person acting in a capacity in which a license from the
16 Cemetery and Funeral Bureau is required, who, except as
17 authorized pursuant to the sections referred to in subdivision (b),
18 deposits or disposes of any human remains in any place, except in
19 a cemetery, is guilty of a misdemeanor that shall be punishable by
20 imprisonment in a county jail not exceeding one year, by a fine
21 not exceeding ten thousand dollars (\$10,000), or both that
22 imprisonment and fine.

23 (b) Cremated remains or hydrolyzed remains may be disposed
24 of pursuant to Sections 7054.6, 7116, 7117, and 103060.

25 (c) Subdivision (a) of this section shall not apply to the reburial
26 of Native American remains under an agreement developed
27 pursuant to subdivision (l) of Section 5097.94 of the Public
28 Resources Code, or implementation of a recommendation or
29 agreement made pursuant to Section 5097.98 of the Public
30 Resources Code.

31 SEC. 34. Section 7054.1 of the Health and Safety Code is
32 amended to read:

33 7054.1. No cremated remains or hydrolyzed remains shall be
34 removed from the place of cremation or hydrolysis, nor shall there
35 be any charge for the cremation or hydrolysis, unless the cremated
36 remains or hydrolyzed remains have been processed so that they
37 are suitable for inurnment within a cremated remains container,
38 hydrolyzed remains container, or an urn. Every contract for
39 cremation services or hydrolysis services shall include specific

1 written notification of the processing to the person having the right
2 to control the disposition of the remains under Section 7100.

3 ~~SEC. 35. Section 7054.6 of the Health and Safety Code is~~
4 ~~amended to read:~~

5 ~~7054.6. (a) Cremated remains and hydrolyzed remains may~~
6 ~~be removed in a durable container from the place of cremation,~~
7 ~~hydrolysis, or interment and kept in the dwelling owned or~~
8 ~~occupied by the person having the right to control disposition of~~
9 ~~the remains under Section 7100, or the durable container holding~~
10 ~~the cremated remains or hydrolyzed remains may be kept in a~~
11 ~~church or religious shrine, if written permission of the church or~~
12 ~~religious shrine is obtained and there is no conflict with local use~~
13 ~~permit requirements or zoning laws, if the removal is under the~~
14 ~~authority of a permit for disposition granted under Section 103060.~~
15 ~~The placement, in any place, of six or more cremated remains or~~
16 ~~hydrolyzed remains under this section does not constitute the place~~
17 ~~a cemetery, as defined in Section 7003.~~

18 ~~(b) Prior to disposition of cremated remains or hydrolyzed~~
19 ~~remains, every licensee or registrant pursuant to Chapter 12~~
20 ~~(commencing with Section 7600) or Chapter 19 (commencing with~~
21 ~~Section 9600) of Division 3 of the Business and Professions Code,~~
22 ~~and the agents and employees of the licensee or registrant shall do~~
23 ~~all of the following:~~

24 ~~(1) Remove the cremated remains or hydrolyzed remains from~~
25 ~~the place of cremation or hydrolysis in a durable container.~~

26 ~~(2) Keep the cremated remains or hydrolyzed remains in a~~
27 ~~durable container.~~

28 ~~(3) Store the cremated remains or hydrolyzed remains in a place~~
29 ~~free from exposure to the elements.~~

30 ~~(4) Responsibly maintain the cremated remains or hydrolyzed~~
31 ~~remains.~~

32 ~~SEC. 35. Section 7054.6 of the Health and Safety Code is~~
33 ~~amended to read:~~

34 ~~7054.6. (a) Except as provided in subdivision (b), cremated~~
35 ~~remains and hydrolyzed remains may be removed in a durable~~
36 ~~container from the place of cremation, hydrolysis, or interment~~
37 ~~and kept in or on the real property owned or occupied by a person~~
38 ~~described in Section 7100 or any other person, with the permission~~
39 ~~of the person with the right to disposition, or the durable container~~
40 ~~holding the cremated or hydrolyzed remains may be kept in a~~

1 church or religious shrine, if written permission of the church or
2 religious shrine is obtained and there is no conflict with local use
3 permit requirements or zoning laws, if the removal is under the
4 authority of a permit for disposition granted under Section 103060.
5 The placement, in any place, of six or more cremated *or hydrolyzed*
6 remains under this section does not constitute the place a cemetery,
7 as defined in Section 7003.

8 (b) Notwithstanding any other provision of law, cremated
9 remains *or hydrolyzed remains* may be placed in one or more
10 keepsake urns. Keepsake urns shall be kept as authorized by the
11 person or persons with the right to control disposition pursuant to
12 Section 7100, provided that a permit for disposition of human
13 remains pursuant to Section 103060 is issued by the local registrar
14 for each keepsake urn designating the home address of each person
15 receiving a keepsake urn and a permit fee pursuant to Section
16 103065 is paid. No keepsake urn shall be subject to Section 8345.
17 For purposes of this section, a keepsake urn shall mean a closed
18 durable container that will accommodate an amount of cremated
19 *or hydrolyzed* remains not to exceed one cubic centimeter.

20 (c) Prior to disposition of cremated remains *or hydrolyzed*
21 *remains*, every licensee or registrant pursuant to Chapter 12
22 (commencing with Section 7600) or Chapter 19 (commencing with
23 Section 9600) of Division 3 of the Business and Professions Code,
24 and the agents and employees of the licensee or registrant shall do
25 all of the following:

26 (1) Remove the cremated *or hydrolyzed* remains from the place
27 of cremation *or hydrolysis* in a durable container.

28 (2) Keep the cremated *or hydrolyzed* remains in a durable
29 container.

30 (3) Store the cremated *or hydrolyzed* remains in a place free
31 from exposure to the elements.

32 (4) Responsibly maintain the cremated *or hydrolyzed* remains.

33 SEC. 36. Section 7054.7 of the Health and Safety Code is
34 amended to read:

35 7054.7. (a) Except with the express written permission of the
36 person entitled to control the disposition of the remains, no person
37 shall:

38 (1) Cremate the remains of more than one person at the same
39 time in the same cremation chamber, or introduce the remains of
40 a second person into a cremation chamber until incineration of any

1 preceding remains has been terminated and reasonable efforts have
2 been employed to remove all fragments of the preceding remains.
3 The fact that there is residue in the cremation chamber or other
4 equipment or any container used in a prior cremation is not a
5 violation of this section.

6 (2) Dispose of or scatter cremated remains in a manner or in a
7 location that the remains are commingled with those of another
8 person. This paragraph shall not apply to the scattering of cremated
9 remains at sea from individual containers or to the disposal in a
10 dedicated cemetery of accumulated residue removed from a
11 cremation chamber or other cremation equipment.

12 (3) Place cremated remains, hydrolyzed remains, or uncremated
13 remains of more than one person in the same container or the same
14 interment space. This paragraph shall not apply to the following:

15 (A) Interment of members of the same family in a common
16 container designed for the cremated remains or hydrolyzed remains
17 of more than one person.

18 (B) Interment in a space or container that has been previously
19 designated at the time of sale as being intended for the interment
20 of remains of more than one person.

21 (C) Disposal in a dedicated cemetery of residue removed from
22 a cremation chamber or other cremation equipment.

23 (b) Written acknowledgment from the person entitled to control
24 the disposition of the cremated remains shall be obtained by the
25 person with whom arrangements are made for disposition of the
26 remains on a form that includes, but is not limited to, the following
27 information: "The human body burns with the casket, container,
28 or other material in the cremation chamber. Some bone fragments
29 are not combustible at the incineration temperature and, as a result,
30 remain in the cremation chamber. During the cremation, the
31 contents of the chamber may be moved to facilitate incineration.
32 The chamber is composed of ceramic or other material which
33 disintegrates slightly during each cremation and the product of
34 that disintegration is commingled with the cremated remains.
35 Nearly all of the contents of the cremation chamber, consisting of
36 the cremated remains, disintegrated chamber material, and small
37 amounts of residue from previous cremations, are removed together
38 and crushed, pulverized, or ground to facilitate inurnment or
39 scattering. Some residue remains in the cracks and uneven places
40 of the chamber. Periodically, the accumulation of this residue is

1 removed and interred in a dedicated cemetery property, or scattered
2 at sea.” The acknowledgment shall be filed and retained, for at
3 least five years, by the person who disposes of or interrs the remains.

4 (c) Any person, including any corporation or partnership,
5 knowingly violating any provision of this section is guilty of a
6 misdemeanor.

7 SEC. 37. Section 7054.8 is added to the Health and Safety
8 Code, to read:

9 7054.8. (a) Except with the express written permission of the
10 person entitled to control the disposition of the remains, no person
11 shall do any of the following:

12 (1) Hydrolyze the remains of more than one person at the same
13 time in the same hydrolysis vessel, or introduce the remains of a
14 second person into a hydrolysis vessel until dissolution of any
15 preceding remains has been terminated and reasonable efforts have
16 been employed to remove all fragments of the preceding remains.
17 The fact that there is residue in the hydrolysis vessel or other
18 equipment or any container used in a prior cremation is not a
19 violation of this section.

20 (2) Dispose of or scatter hydrolyzed remains in a manner or in
21 such a location that the remains are commingled with those of
22 another person. This paragraph shall not apply to the scattering of
23 hydrolyzed remains at sea from individual containers or to the
24 disposal in a dedicated cemetery of accumulated residue removed
25 from processing equipment.

26 (3) Place hydrolyzed remains or other remains of more than one
27 person in the same container or the same interment space. This
28 paragraph shall not apply to the following:

29 (A) Interment of members of the same family in a common
30 container designed for the hydrolyzed remains or cremated remains
31 of more than one person.

32 (B) Interment in a space or container that has been previously
33 designated at the time of sale as being intended for the interment
34 of remains of more than one person.

35 (C) Disposal in a dedicated cemetery of residue removed from
36 processing equipment.

37 (b) Written acknowledgment from the person entitled to control
38 the disposition of the hydrolyzed remains shall be obtained by the
39 person with whom arrangements are made for disposition of the
40 remains on a form that includes, but is not limited to, the following

1 information: “During the alkaline hydrolysis process, chemical
2 dissolution using heat, high pressure water, and an alkaline solution
3 is used to chemically break down the human tissue and the
4 hydrolyzable alkaline hydrolysis container. The process may not
5 result in complete dissolution. After the process is complete, the
6 liquid effluent solution contains the chemical byproducts of the
7 alkaline hydrolysis process except for the deceased’s bone
8 fragments. The solution is cooled and released in accordance with
9 local environmental regulations. A hot water rinse is applied to
10 the cremated remains, which are then dried, crushed, pulverized,
11 or ground to facilitate inurnment or scattering.” The
12 acknowledgment shall be filed and retained, for at least five years,
13 by the person who disposes of or inters the remains.

14 (c) ~~Any~~ A person, including any corporation or partnership,
15 violating any provision of this section is guilty of a misdemeanor.

16 SEC. 38. Section 7055 of the Health and Safety Code is
17 amended to read:

18 7055. (a) Every person, who for himself or herself or for
19 another person, inters, cremates, or hydrolyzes a body or permits
20 the same to be done, or removes any remains, other than cremated
21 remains or hydrolyzed remains, from the primary registration
22 district in which the death, ~~incineration~~ *cremation*, or hydrolysis
23 occurred or the body was found, except a removal by a funeral
24 director in a funeral director’s conveyance or an officer of a duly
25 accredited medical college engaged in official duties with respect
26 to the body of a decedent who has willfully donated his or her
27 body to the medical college from that registration district or county
28 to another registration district or county, or within the same
29 registration district or county, without the authority of a burial or
30 removal permit issued by the local registrar of the district in which
31 the death occurred or in which the body was found; or removes
32 interred human remains from the cemetery in which the interment
33 occurred, or removes cremated remains or hydrolyzed remains
34 from the premises on which the cremation or hydrolysis occurred
35 without the authority of a removal permit is guilty of a
36 misdemeanor and punishable as follows:

37 (1) For the first offense, by a fine of not less than ten dollars
38 (\$10) nor more than five hundred dollars (\$500).

39 (2) For each subsequent offense, by a fine of not less than fifty
40 dollars (\$50) nor more than five hundred dollars (\$500) or

1 imprisonment in the county jail for not more than 60 days, or by
2 both.

3 (b) Notwithstanding subdivision (a), a funeral director of a
4 licensed out-of-state funeral establishment may transport human
5 remains out of this state without a removal permit when he or she
6 is acting within the requirements specified in subdivision (b) of
7 Section 103050.

8 SEC. 39. Section 7116 of the Health and Safety Code is
9 amended to read:

10 7116. Cremated remains or hydrolyzed remains may be
11 scattered in areas where no local prohibition exists, provided that
12 the cremated remains or hydrolyzed remains are not distinguishable
13 to the public, are not in a container, and that the person who has
14 control over disposition of the cremated remains or hydrolyzed
15 remains has obtained written permission of the property owner or
16 governing agency to scatter on the property. A state or local agency
17 may adopt an ordinance, regulation, or policy, as appropriate,
18 authorizing, consistent with this section, or specifically prohibiting,
19 the scattering of cremated remains or hydrolyzed remains on lands
20 under the agency's jurisdiction. The scattering of the cremated
21 remains or hydrolyzed remains of more than one person in one
22 location pursuant to this section shall not create a cemetery
23 pursuant to Section 7003 or any other provision of law.

24 SEC. 40. Section 7117 of the Health and Safety Code is
25 amended to read:

26 7117. (a) Cremated remains or hydrolyzed remains may be
27 taken by boat from any harbor in this state, or by air, and scattered
28 at sea. Cremated remains or hydrolyzed remains shall be removed
29 from their container before the remains are scattered at sea.

30 (b) Any person who scatters at sea, either from a boat or from
31 the air, any human cremated remains or hydrolyzed remains shall,
32 file with the local registrar of births and deaths in the county nearest
33 the point where the remains were scattered, a verified statement
34 containing the name of the deceased person, the time and place of
35 death, the place at which the cremated remains or hydrolyzed
36 remains were scattered, and any other information that the local
37 registrar of births and deaths may require. The first copy of the
38 endorsed permit shall be filed with the local registrar of births and
39 deaths within 10 days of disposition. The third copy shall be
40 returned to the office of issuance.

(c) For purposes of this section, the phrase “at sea” includes the inland navigable waters of this state, exclusive of lakes and streams, provided that no such scattering may take place within 500 yards of the shoreline. Nothing in this section shall be construed to allow the scattering of cremated remains or hydrolyzed remains from a bridge or pier.

(d) Notwithstanding any other provision of this code, the cremated remains or hydrolyzed remains of a deceased person may be scattered at sea as provided in this section and Section 103060.

SEC. 41. Article 8 (commencing with Section 8370) is added to Chapter 2 of Part 3 of Division 8 of the Health and Safety Code, to read:

Article 8. Hydrolysis Facilities

8370. No hydrolysis facility shall conduct, or shall hereafter be constructed, established, or authorized to conduct, any business unless there is in connection therewith in the same building or structure or in a separate building within the same cemetery, a columbarium, a burial park, or a mausoleum amply equipped at all times for the interment of remains of bodies—~~cremated~~ *hydrolyzed* at the hydrolysis facility.

8371. All hydrolyzed remains not disposed of in accordance with this chapter, within one year, shall be interred.

8372. No hydrolysis facility shall make or enforce any rules requiring that human remains be placed in a casket before hydrolysis or that human remains be hydrolyzed in a casket, nor shall a hydrolysis facility refuse to accept human remains for hydrolysis for the reason that they are not in a casket. Every director, officer, agent, or representative of a hydrolysis facility who violates this section is guilty of a misdemeanor. Nothing in this section shall be construed to prohibit the requiring of some type of container or disposal unit.

8373. (a) A hydrolysis facility shall maintain on its premises, or other business location within the state, an accurate record of all hydrolyses performed, including all of the following information.

(1) Name of referring funeral director, if any.

(2) Name of deceased.

(3) Date of hydrolysis.

- 1 (4) Name of hydrolysis vessel operator.
- 2 (5) Date that body was inserted in hydrolysis vessel.
- 3 (6) Date that body was removed from hydrolysis vessel.
- 4 (7) Date that final processing of hydrolyzed remains was
- 5 completed.
- 6 (8) Disposition of hydrolyzed remains.
- 7 (9) Name and address of authorizing agent.
- 8 (10) The identification number assigned to the deceased,
- 9 pursuant to Section 8374.
- 10 (11) A photocopy of the disposition permit filed in connection
- 11 with the disposition.
- 12 (12) Any documentation of compliance with appropriate
- 13 environmental and safety laws.
- 14 (b) This information shall be maintained for at least 10 years
- 15 after the hydrolysis is performed and shall be subject to inspection
- 16 by the Cemetery and Funeral Bureau.
- 17 8374. (a) A hydrolysis facility shall maintain an identification
- 18 system allowing identification of each decedent beginning from
- 19 the time the hydrolysis facility accepts delivery of human remains
- 20 until the point at which it releases the hydrolyzed remains to a
- 21 third party. After hydrolysis, an identifying disk, tab, or other
- 22 permanent label shall be placed within the urn or hydrolyzed
- 23 remains container before the hydrolyzed remains are released from
- 24 the hydrolysis facility. Each identification disk, tab, or label shall
- 25 have a unique number that shall be recorded on all paperwork
- 26 regarding the decedent's case and in the hydrolysis facility log.
- 27 Each hydrolysis facility shall maintain a written procedure for
- 28 identification of remains.
- 29 (b) A hydrolysis facility that fails, when requested by an official
- 30 of the Cemetery and Funeral Bureau, to produce a written
- 31 procedure for identification of remains, shall have 15 working
- 32 days from the time of the request to produce an identification
- 33 procedure for review by the executive officer of the Cemetery
- 34 Board. The license of the hydrolysis facility shall be suspended
- 35 pursuant to Chapter 5 (commencing with Section 11500) of Part
- 36 1 of Division 3 of Title 2 of the Government Code, if no
- 37 identification procedure is produced for review after 15 working
- 38 days have elapsed.

1 8375. A hydrolysis facility regulated by the Cemetery and
2 Funeral Bureau shall knowingly hydrolyze only human remains
3 in hydrolysis chambers, along with the hydrolysis container.

4 8376. If a hydrolyzed remains container is of insufficient
5 capacity to accommodate all hydrolyzed remains of a given
6 deceased, the hydrolysis facility shall provide a larger hydrolyzed
7 remains container or urn at no additional cost, or place the excess
8 remains in a secondary cremated remains container and attach the
9 second container, in a manner so as not to be easily detached
10 through incidental contact, to the primary cremated remains
11 container for interment, scattering, or other disposition by the
12 person entitled to control the disposition.

13 8377. A hydrolysis facility shall not accept human remains for
14 hydrolysis unless the remains meet both of the following
15 requirements:

16 (a) The remains shall be in a hydrolysis container, as defined.

17 (b) The hydrolysis container shall be labeled with the identity
18 of the decedent.

19 8378. Within two hours after a licensed hydrolysis facility
20 ~~licensed~~ takes custody of a body that has not been embalmed, it
21 shall refrigerate the body at a temperature not greater than 50
22 degrees Fahrenheit, unless the hydrolysis process will begin within
23 24 hours of the time that the hydrolysis facility took custody.

24 8379. Every hydrolysis facility manager or duly authorized
25 representative shall provide to any person who inquires in person,
26 a written or printed list of prices for hydrolysis and storage,
27 hydrolysis containers, hydrolysis remains containers and urns, and
28 requirements for hydrolysis containers. This information shall be
29 provided over the telephone when requested. Any written or printed
30 list shall identify the hydrolysis facility and shall contain, at a
31 minimum, the current address and phone number of the Cemetery
32 and Funeral Bureau in 8-point boldface type, or larger.

33 8380. (a) The hydrolysis facility licensee, or its authorized
34 representatives, shall provide instruction to all hydrolysis facility
35 personnel involved in the hydrolysis process. This instruction shall
36 lead to a demonstrated knowledge on the part of an employee
37 regarding identification procedures used during hydrolysis,
38 operation of the hydrolysis chamber and processing equipment,
39 and all laws relevant to the handling of a body and hydrolyzed
40 remains. This instruction shall be outlined in a written plan

1 maintained by the hydrolysis facility licensee for inspection and
2 comment by an inspector of the Cemetery and Funeral Bureau.

3 (b) No employee of a hydrolysis facility shall be allowed to
4 operate any hydrolysis equipment until he or she has demonstrated
5 to the licensee or authorized representative that he or she
6 understands the procedures required to ensure the health and safety
7 conditions are maintained at the hydrolysis facility and that
8 hydrolyzed remains are not commingled. The hydrolysis facility
9 licensee shall maintain a record to document that an employee has
10 received the training specified in this section.

11 (c) A hydrolysis facility that fails, when requested by an official
12 of the bureau, to produce a written employee instruction plan or
13 record of employee training for inspection, shall have 15 working
14 days from the time of the request to produce a plan or training
15 record for review by the executive officer of the bureau. The license
16 of the hydrolysis facility shall be suspended, pursuant to Chapter
17 5 (commencing with Section 11500) of Part 1 of Division 3 of
18 Title 2 of the Government Code, if no plan or training record is
19 produced for review after 15 working days have elapsed.

20 SEC. 42. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.